



**AGENDA, TROY CITY COUNCIL**  
**MONDAY, MARCH 20, 2017, 7:00 P.M.**  
**COUNCIL CHAMBERS, CITY HALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Excuse Mr. Kendall

excuses by motion/second/roll call vote

Excuse Mr. Schweser

excuses by motion/second/roll call vote

**PUBLIC HEARINGS**

O-8-2017

Amend Zoning Code to prohibit cultivators or processors of medical marijuana

O-9-2017

Amend Zoning Code to permit one retail dispensary of medical marijuana only within the B-4 Zoning District

**SUMMARY OF MINUTES**

March 6, 2017 Meeting

motion/second/roll call vote

**COMMITTEE REPORTS**

**RESOLUTIONS**

R-21-2017

Approve Complete Streets Policy

2<sup>nd</sup> Reading

R-22-2017

Application from Neal Farms, Inc. (aka Neal Brothers, Inc., Neal Moore Farms, LLC, and Martin Neal) to retain 105 acres in the agricultural district. PUBLIC HEARING 3-6-2017

2<sup>nd</sup> Reading

R-23-2017

CHIP 2017 Program Partnership agreement with County, Piqua, Tipp City

EMERGENCY

1<sup>st</sup> Reading

**ORDINANCES**

O-8-2017

Amend Zoning Code to prohibit cultivators or processors of medical marijuana

PUBLIC HEARING 3-20-2017

2<sup>nd</sup> Reading

O-9-2017

Amend Zoning Code to permit one retail dispensary of medical marijuana only within the B-4 Zoning District

PUBLIC HEARING 3-20-2017

2<sup>nd</sup> Reading

**COMMUNICATIONS/ANNOUNCEMENTS**

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

COMMENTS: Audience

**ADJOURN**

NOTE: Committee meetings may take place prior to or following Council meeting

**CITY OF TROY MISSION STATEMENT:**

*Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.*

## DISPOSITION OF ORDINANCES AND RESOLUTIONS

**Date of Meeting: March 20, 2017**

## Troy City Council Meeting

[illegible]

## MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, March 6, 2017, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Kendall, Oda, Phillips, Schweser, Snee, Terwilliger, Tremblay and Twiss.

Presiding Officer: Martha A. Baker President of Council

Others Present: Michael L. Beamish Mayor  
Patrick E. J. Titterington Director of Public Service and Safety  
Grant D. Kerber Director of Law  
John E. Frigge Auditor

INVOCATION: An invocation was given by Mr. Schweser. The Pledge of Allegiance followed the invocation and was led by Tony Simon of Boy Scout Troop 365.

PUBLIC HEARING: At 7:03 p.m., Mrs. Baker declared open a public hearing on Resolution No. R-22-2017, Application from Neal Farms, Inc. (aka Neal Brothers, Inc., Neal Moore Farms, LLC, and Martin Neal) to retain 105 acres in the agricultural district.

-Supporting the application: Phillip Neal, 2565 Experiment Farm Road, stated he was in favor of Council approving the Agricultural District Application.

-There were no comments opposing the application.

There being no further comments, at 7:04 p.m. Mrs. Baker declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the February 21, 2017 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Kendall, seconded by Mr. Schweser, to approve these minutes. Motion passed by unanimous roll call vote.

### COMMITTEE REPORTS:

Community & Economic Development Committee: Mr. Twiss, Chairman, reported that Committee recommends legislation be prepared accept the recommendation of the Troy Planning Commission that Council accepts as right-of-way the dedication of 0.310 acres that is part of current Inlot 7833, located at 3035 McKaig Road. Report signed by Kendall, Schweser and Twiss.

Finance Committee: Mr. Kendall, Chairman, reported that Committee recommends legislation be prepared accepting the recommendation of the Tax Incentive Review Council:

- That five Enterprise Zone Agreements (28, 33, 34, 35 and 36) be continued as they are in full compliance.
- That Agreement # 29 (Ishmael Precision Tool Corporation) be terminated as the agreement has expired.
- That the Troy Towne Park TIF be continued.

Committee supports emergency legislation as the the City must file an annual report with the Ohio Development Services Agency by the end of March regarding the continuance of the Agreements and the TIF.

Report signed by Schweser, Tremblay and Kendall.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared adopting the Complete Streets Policy, which conforms to the Miami Valley Regional Planning Commission (MVRPC) Complete Streets Policy. Committee noted that the policy is to be implemented where possible and feasible with new construction, reconstruction, or development, but it will not result in a new capital construction program. The policy is also to be reviewed every two years so it adapts to adjustments as necessary.

Report signed by Heath, Snee and Phillips.

Discussion. Mrs. Oda asked about federal or state funding that might be applicable to the Complete Streets Policy. Mr. Titterington responded that funding such as those involving congestion mitigation or transportation enhancement funding or other capital grant programs may be applicable, and it is not uncommon for agencies responsible for distributing and auditing the funding to have specific requirements. Mrs. Oda commented that, as a resident, she is concerned that driving lanes like that on Adams Street will just be lost to bike lanes and she would like to know that would not happen again; she understands that if Council approves the policy Council would not be involved in the elements of a roadway project and driving lanes could just disappear and become bike lanes; and she believes Council should be advised of the cost of implementing bike lanes. Mr. Titterington commented that details in roadway projects are an administrative function, but such changes noted are not made without consultation with traffic engineers and/or ODOT if it is an ODOT project, that nothing would be done if it is against traffic control warrants, standards or regulations; that mainly costs are minimal and are for striping; and costs come with extending path systems and could involve the funding of other agencies.

Mrs. Oda asked if all roads are already shared roads, with Mr. Titterington responding "shared roads" are a certain category with a specific level of regulations. Mrs. Oda asked if Adams Street could be opened back up to four driving lanes or have the bicycle lane be a shared road, with Mr. Titterington responding that cannot be done as the bicycle lane is a part of a plan to link paths from Duke Park to N. Market Street and beyond.

**CITIZEN COMMENTS:**

Lester Conard, 1210 S. Clay Street, commented that he believes there is too much traffic now to have areas for bicycles; he does not see many people riding bicycles in Troy; it would be better if the police stopped cyclists not obeying laws; and bicycle lanes should be off to the side and not on the roads.

**RESOLUTION NO. R-19-2017**

**RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL AND DECLARING AN EMERGENCY**

This Resolution was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Heath, Snee, Phillips, Schweser, Oda, Tremblay, Kendall, Terwilliger and Twiss.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Schweser.

Yes: Snee, Phillips, Schweser, Oda, Tremblay, Kendall, Terwilliger, Twiss and Heath.

No: None.

**RESOLUTION ADOPTED**

**RESOLUTION NO. R-20-2017**

**RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FOR THE TROY TOWNE PARK TIF AND DECLARING AN EMERGENCY**

This Resolution was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Phillips, Schweser, Oda, Tremblay, Kendall, Terwilliger, Twiss, Heath and Snee.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Schweser, Oda, Tremblay, Kendall, Terwilliger, Twiss, Heath, Snee and Phillips.

No: None.

**RESOLUTION ADOPTED**

**RESOLUTION NO. R-20-2017**

**RESOLUTION ADOPTING THE CITY OF TROY, OHIO COMPLETE STREETS POLICY AS PART OF THE CITY OF TROY COMPREHENSIVE PLAN**

This Resolution was given first title reading.

**RESOLUTION NO. R-22-2017**

**RESOLUTION APPROVING APPLICATION OF NEAL FARMS, INC. (AKA NEAL BROTHERS INC., NEAL MOORE FARMS LLC, AND MARTIN NEAL) TO RETAIN LAND IN AN AGRICULTURAL DISTRICT**

This Resolution was given first title reading.

**ORDINANCE NO. O-7-2017**

**ORDINANCE ACCEPTING THE DEDICATION OF A RIGHT-OF-WAY**

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Tremblay.

Yes: Oda, Tremblay, Kendall, Terwilliger, Twiss, Heath, Snee, Phillips and Schweser.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Tremblay, Kendall, Terwilliger, Twiss, Heath, Snee, Phillip, Schweser and Oda.

No: None.

**ORDINANCE ADOPTED**

ORDINANCE NO. O-8-2017

AN ORDINANCE ENACTING SECTION 1149.13 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO CULTIVATORS AND PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

ORDINANCE NO. O-9-2017

AN ORDINANCE AMENDING SECTION 1143.16 OF THE ZONING CODE OF THE CITY OF TROY, OHIO AND ENACTING SECTION 1149.14 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO RETAIL DISPENSARIES OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

COMMENTS OF DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington noted that the Dye Mill Raod Facility opened March 4, and will have extended hours this year.

COMMENTS OF COUNCIL: Mr. Phillips stated there would be an open house at the Miami Shores Golf Course on March 16, 4-6 PM, to provide informed related to proposed improvements and general golf information, and that representatives of the Operation Recreation Committee would be available to discuss the May levy related to an income tax increase for park and recreation purposes.

AUDIENCE COMMENTS:

-Carol Overmeyer, 215 Carriage Crossing Way, thanked the City for the work that had been done around the pond at Carriage Crossing Park.

-Lester Conard, 1210 S. Clay Street, stated he read the article about the collection of income tax in the paper and questioned whether that article was factual or the information that the Governor's proposal on income tax collection saving the City money was factual. Mr. Titterington commented that he believes his article was comprehensive; that with the proposal of the State collecting one of three types of income tax, the State knows cities cannot cut staff and save money because the work load would not be sufficiently reduced; and without the ability to audit the tax the State proposes to collect, the City would lose the ability to find incorrect filings. The City audits all filings. Mr. Titterington noted that an audit of one business found an incorrect filing of approximately \$1 million, and under the Governor's plan, this could not have been found and the tax paid.

There being no further business, Council adjourned at 7:32 p.m.

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Clerk of Council

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President of Council

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Finance Committee  
SUBJECT: AUTHORIZING THE CITY OF TROY TO BE A PARTY TO A CHIP PARTNERSHIP AGREEMENT

DATE: March 13, 2017

**SUMMARY REPORT:** *(to be read at Council meeting)*

This Committee met on March 13 to consider authorizing the Director of Public Service and Safety to enter into a PY 2017 CHIP Partnership Agreement. This is a grant application program for qualifying LMI extensive home rehabilitation and smaller home repair projects. The State funding agency for this grant, the Ohio Development Services Agency's Office of Community Development (OCD), has encouraged a formal partnership agreement between Miami County, Piqua, Tipp City, and Troy for this program. Only by being a party to the Partnership Agreement, can rehabilitation or repair projects in Troy be included for any CHIP funds awarded.

**RECOMMENDATION:** *(to be read at Council meeting)*

It is the recommendation of this Committee that the legislation be prepared authorizing the Director of Public Service and Safety of the City of Troy, Ohio to enter into the PY 2017 Chip Program Partnership Agreement by and between the Miami County Board of Commissioners, the City of Piqua, Ohio, the City of Tipp City, Ohio, and the City of Troy, Ohio, for the Ohio Development Services Administration (ODSA) Community Housing Impact and Preservation (CHIP) Program. As the County must conduct public hearings and then finalize grant agreements by May 5, consideration of emergency legislation is requested so that the County will know that Troy will be included in the program.

Respectfully submitted,

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John W. Schweser

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Douglas W. Tremblay

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Thomas M. Kendall, Chairman  
Finance Committee

**DETAILED REPORT:**

This Committee met on March 13, 2017, to consider recommending that the Director of Public Service and Safety be authorized to execute a PY 2017 CHIP Partnership Agreement. This meeting was also attended by Council President Baker, Council members Phillips and Terwilliger, the Director of Public Service and Safety, and members of the City staff.

For over twenty years, residents of Troy and Tipp City, along with those in the villages and rural townships, have benefitted from Miami County's several Comprehensive Housing Improvement Program (CHIP) grants and programs. Starting in PY 2015, the Ohio Development Services Agency's Office of Community Development (OCD) encouraged Miami County's and Piqua's separate CHIP Programs to merge and qualify for a larger CHIP grant amount. For PY 2017, OCD is encouraging a formal Partnership Agreement among Miami County, Piqua, Troy, and Tipp City. This has three significant benefits:

1. A four-party partnership gets more points in the scoring process for the CHIP grants.
2. The partnership can qualify for a potentially larger grant amount.
3. If awarded, grant funds can be expended anywhere in the entire county.

Based on a Community Development Implementation Strategy (CDIS) meeting with representatives from all the proposed partners, an application will be filed for a \$1,120,000 program, up from \$850,000 in the current PY 2015 program. While tentative grant amounts for each partner needed to be included in the grant application and the Partnership Agreement, actual grant expenditures can be made where most needed, during the actual grant implementation period in 2018 and 2019. Miami County will be the grant applicant and administering agency. Individual projects can include both extensive Home Rehabilitation and also smaller Home Repair projects for qualifying Low- to Moderate-Income (LMI) households. Only by being included in the Partnership Agreement, can rehabilitation or repair projects in Troy qualify for CHIP funds.

**RECOMMENDATION.**

It is the recommendation of this Committee that the legislation be prepared authorizing the Director of Public Service and Safety of the City of Troy, Ohio to enter into the PY 2017 Chip Program Partnership Agreement by and between the Miami County Board of Commissioners, the City of Piqua, Ohio, the City of Tipp City, Ohio, and the City of Troy, Ohio, for the Ohio Development Services Administration (ODSA) Community Housing Impact and Preservation (CHIP) Program. As the County must conduct public hearings and then finalize grant agreements by May 5, consideration of emergency legislation is requested so that the County will know that Troy will be included in the program.



COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Law & Ordinance Committee  
SUBJECT: APPLICATION FOR PLACEMENT OF FARMLAND IN AGRICULTURAL DISTRICT

DATE: March 13, 2017

**SUMMARY REPORT:** *(to be read at Council meeting)*

This Committee met on March 13 to consider the application of Neal Farms Inc. (aka Moore Farms LLC, Neal Brothers Inc., and Martin Neal) to continue to have 105 acres of ground located on Experiment Farm Road placed in an Agricultural District. This is the second such application for this parcel of land. The application must be re-filed every five years. The required public hearing was held March 6, with the only comments by the applicant.

**RECOMMENDATION:** *(to be read at Council meeting)*

It is the recommendation of this Committee that the legislation be prepared to approve Neal Farms Inc. (aka Moore Farms LLC, Neal Brothers Inc., and Martin Neal) to continue to have 105 acres of ground located on Experiment Farm Road placed in an Agricultural District.

Respectfully submitted,

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Lynne B. Snee

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Bobby W. Phillips

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John W. Schweser, Chairman  
Law & Ordinance Committee

**DETAILED REPORT:**

This Committee met on March 13, 2017, to consider the application of Neal Farms Inc. (aka Moore Farms LLC, Neal Brothers Inc., and Martin Neal) to continue to have 105 acres of ground located on Experiment Farm Road placed in an Agricultural District. Also attending the meeting were Council President Baker, Council Members Terwilliger and Tremblay, the Director of Public Service and Safety, members of the City staff, and the applicant.

This request was made to the County Auditor, in accordance with ORC Section 929.02. If the property is within the corporate limits, the request must also be approved by the municipality. The ORC also requires that the City hold a public hearing, which was held at the March 6 meeting. The only comment made was by the applicant. This is the second application associated with this location. The application must be re-filed every five years. The primary advantages to the property owner for being in an Agricultural District are:

- 1) The property owner can continue the current land use even though the land is now zoned other than agricultural.
- 2) Should the City decide to extend water and sewer across this property by assessment, the assessment would be deferred until any part of the land ceases to be used for agricultural purposes (i.e., land use change).

For the City, the only concern in having the property included in an Agricultural District is the reason in item 2 above, that if the City should assess the property, the collection of the assessment would be deferred. However, as noted above, the designation is for five years, and renewal applications must be reviewed and acted upon by Council.

The zoning of this property is M-2, Light Industrial. Retaining the industrial zoning is consistent with the Troy and County Comprehensive Plans and with abutting Lytle Road uses.

**RECOMMENDATION.** It is the recommendation of this Committee that the legislation be prepared to approve Neal Farms Inc. (aka Moore Farms LLC, Neal Brothers Inc., and Martin Neal) to continue to have 105 acres of ground located on Experiment Farm Road placed in an Agricultural District.

**RESOLUTION No.** R-21-2017

Dignity Legal Blvd, Inc.

**RESOLUTION ADOPTING THE CITY OF TROY, OHIO  
COMPLETE STREETS POLICY AS PART OF THE CITY OF  
TROY COMPREHENSIVE PLAN**

**WHEREAS**, the Planning Commission of the City of Troy, Ohio, has reviewed the Complete Streets Policy of the City of Troy, Ohio, and recommended that it be approved by Troy City Council as part of the City of Troy Comprehensive Plan; and

**WHEREAS**, Complete Streets are facilities designed and operated to safely and comfortably accommodate users of all ages and abilities, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street; and

**WHEREAS**, the Complete Streets philosophy is a logical extension of the Americans with Disabilities Act and helps to expand access for people with disabilities and older residents of the City; and

**WHEREAS**, there are multiple environmental, economic and health benefits that can be derived from building streets and roads that encourage active transportation (transit use, biking and walking); and

**WHEREAS**, the Federal Highway Administration, the Ohio Department of Transportation, and over a hundred jurisdictions across the country have adopted Complete Streets policies or made policy statements supporting Complete Streets; and

**WHEREAS**, adoption of the Complete Streets Policy would ensure that City of Troy projects conform to the MVRPC Complete Streets Policy, which may help Troy projects to remain competitive when seeking federal and state funding; and

**WHEREAS**, the Complete Streets Policy will be reviewed and updated as necessary based on a two-year schedule.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That the Council of the City of Troy, Ohio hereby adopts the Complete Streets Policy, attached hereto as Exhibit A as part of the Comprehensive Plan of the City of Troy, Ohio, with the Complete Streets guidelines applied to local projects as appropriate and developers encouraged to apply complete streets principles to their projects.

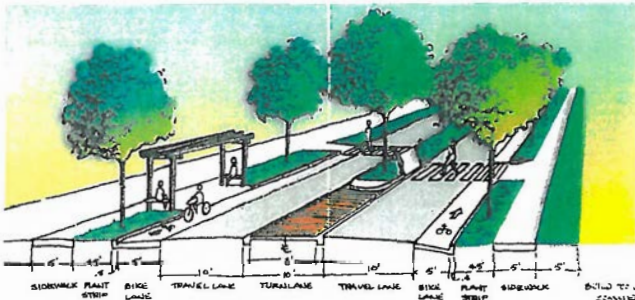
**SECTION II:** That this Resolution shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor





## Complete Streets Policy

Adopted \_\_\_\_\_, 20\_\_\_\_

Resolution No. \_\_\_\_\_

### Vision

The vision of this Policy is to create a comprehensive, integrated, balanced, and connected transportation network where all users can travel safely and comfortably to promote a more livable community.

### Definition

Complete streets are facilities designed and operated to safely and comfortably accommodate users of all ages, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street. "User" includes people of all ages and abilities.

### Purpose

This Policy is intended to incorporate the needs of all users through the planning, design, approval, and implementation processes for any construction, reconstruction, and retrofit of streets in the transportation network, including pavement resurfacing, restriping and signalization operations if the safety and convenience of users can be improved within the scope of the work. Providing various forms of transportation will increase public health, reduce demand for motor vehicles by contributing to walkable neighborhoods which can foster interaction, create a sense of community pride and improve quality of life.

It is intended that this Policy, located in the City of Troy Comprehensive Plan, ensures city projects conform to the Miami Valley Regional Planning Commission Complete Street Policy, which implies city projects will remain competitive when seeking federal and state funding administered through this agency.

### Goals

1. Incorporate the vision, purpose and goals of this Policy into all aspects of the project development process for transportation projects within the City.
2. Create a balanced, interconnected transportation network consistent with the Comprehensive Plan and other relevant policies of the City.
3. Promote the use of the best design standards including AASHTO, MUTCD, ADAAG and others as related. Methods for providing flexibility within safe design parameters will be considered.
4. Increase transportation choices to avoid traffic congestion and increase the overall capacity of the transportation network.
5. Improve safety by the design and accommodation for cyclist and pedestrians.
6. Encourage walking and cycling by providing a safe network to help people of all ages and abilities to get physical activity.
7. Encourage businesses to provide bicycle parking for staff and patrons.

### **Applicability**

This Policy applies to all projects, including new construction, rehabilitation, repair, resurfacing, and maintenance of transportation network facilities located within the Public right-of-way or on public or private land. Projects approved or designed before the adoption of this Policy are exempt. All other projects are subject to this Policy.

#### ***Review Process***

All transportation projects within the public right-of-way, publicly owned land, or within Planned Developments and subdivisions shall be reviewed for conformity with this policy.

#### ***Exemptions***

Exemptions to the Complete Streets Policy must be documented in writing by either the City Engineer or Planning & Zoning Manager with supporting data that indicates the reason for the decision and follows:

1. There is an absence of current and future need.
2. The cost of accommodations for a particular mode is excessively disproportionate to the need and potential benefit of a project.
3. The project involves minor ordinary maintenance activities, such as cleaning, sealing, patching and surface treatments.

### **Implementation**

1. Develop Complete Streets master transportation plan.
2. Evaluate each street and provide a classification type.
3. Implement recommendations to a Safe Routes to School Travel Plan and maintain local Safe Routes to Schools Program.
4. A systems approach should be used in developing roadway projects to ensure one mode of transportation does not prevent safe use by another mode.
5. Adjust Capital Improvement Plan to reflect a higher prioritization given to those projects that advance the vision and goals of the Complete Streets Policy.
6. Continue to evaluate traffic control devices with modification when necessary.
7. Implement recommendations of intersection improvements when development occurs.

### **Performance Measures**

1. Increase the number of miles of on-street bicycle routes with clearly marked accommodations.
2. Provide sidewalk connectivity throughout the city.
3. Increase the public and private development to install bicycle racks and other street furniture.

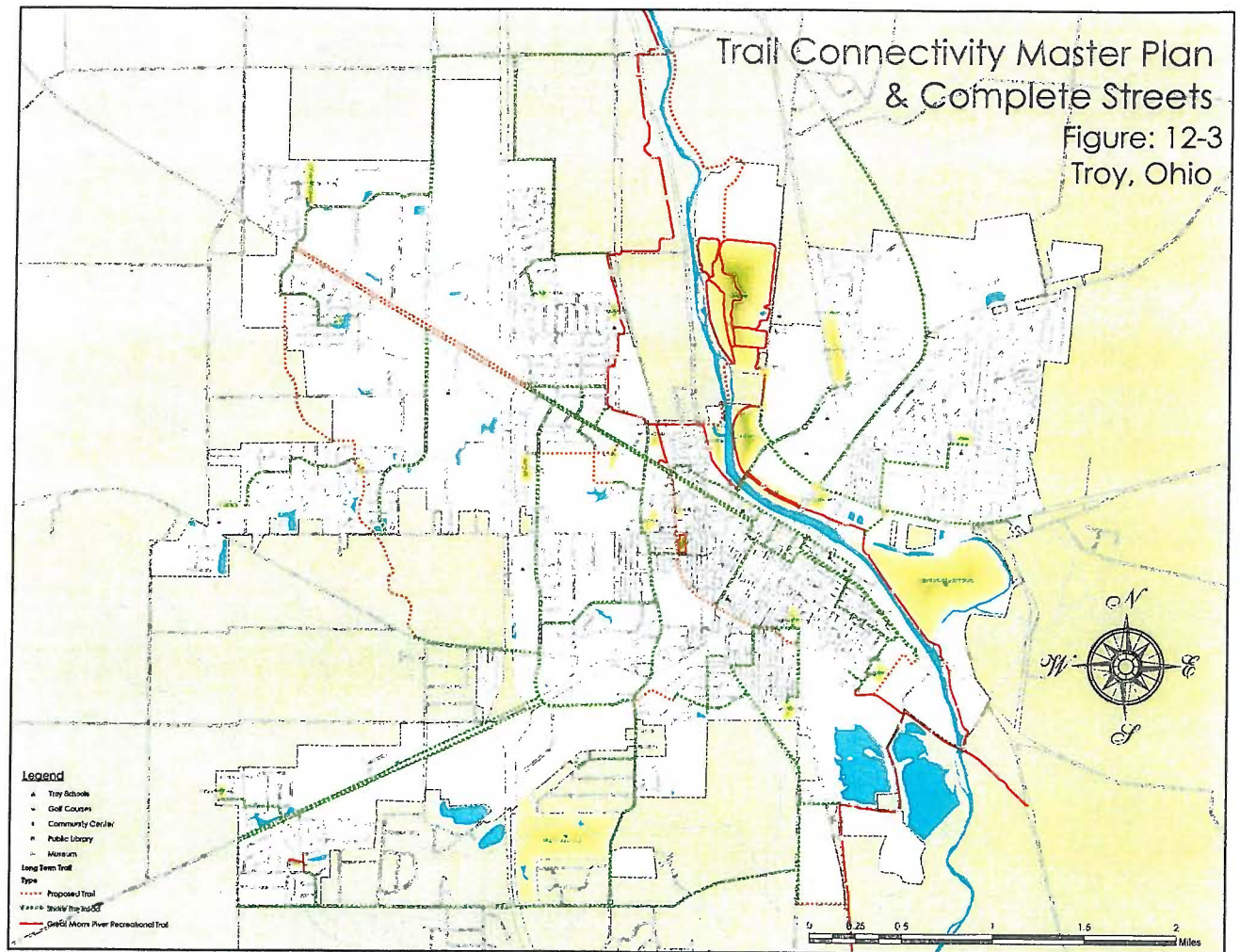
4. Provide training and education for staff, elected and appointed officials and citizens to continue to promote the goals included in this policy.

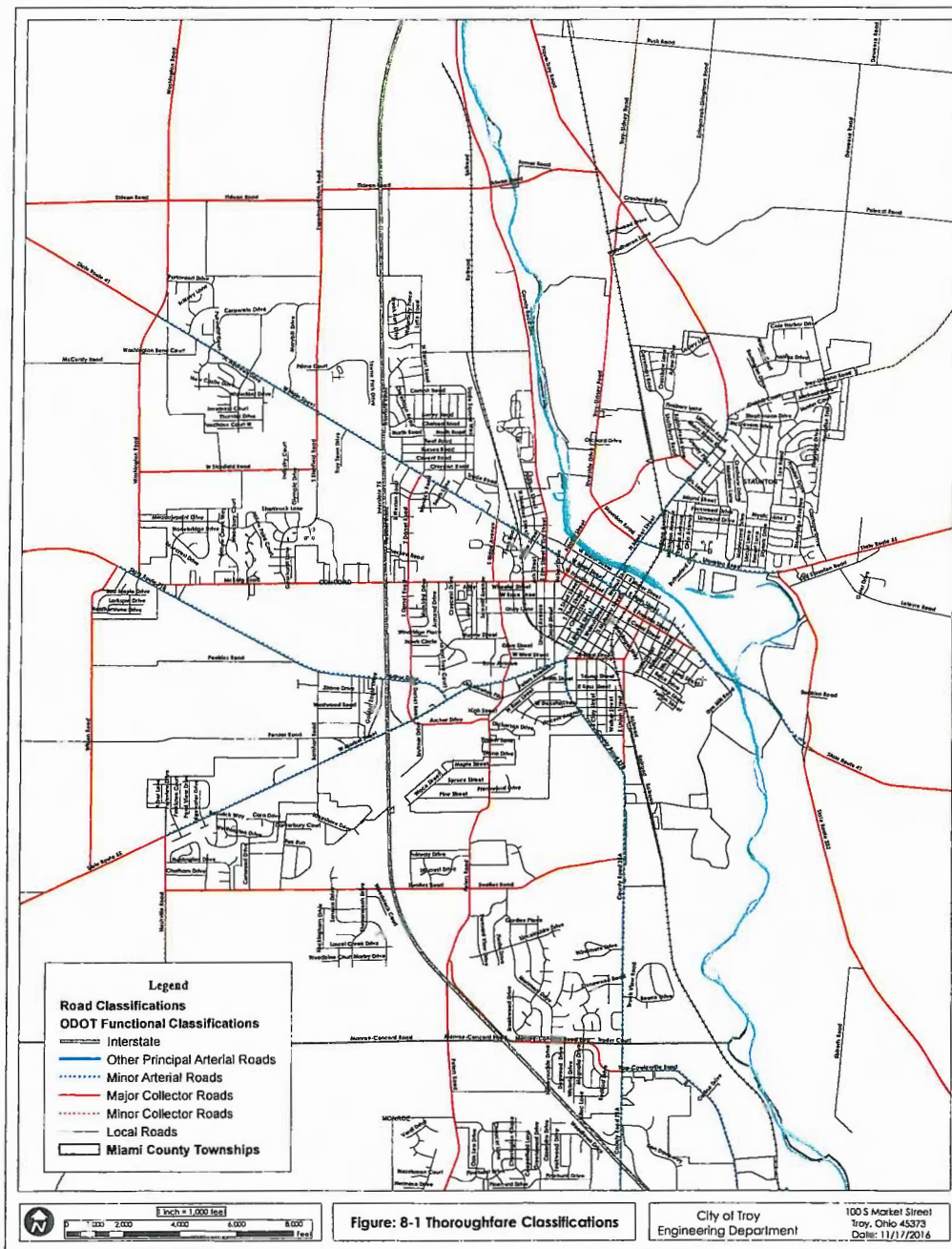
### **Evaluation**

The City shall evaluate this policy and the documents associated with it every two years. The evaluation may include recommendations for amendments to the Complete Streets Policy.

# Trail Connectivity Master Plan & Complete Streets

Figure: 12-3  
Troy, Ohio







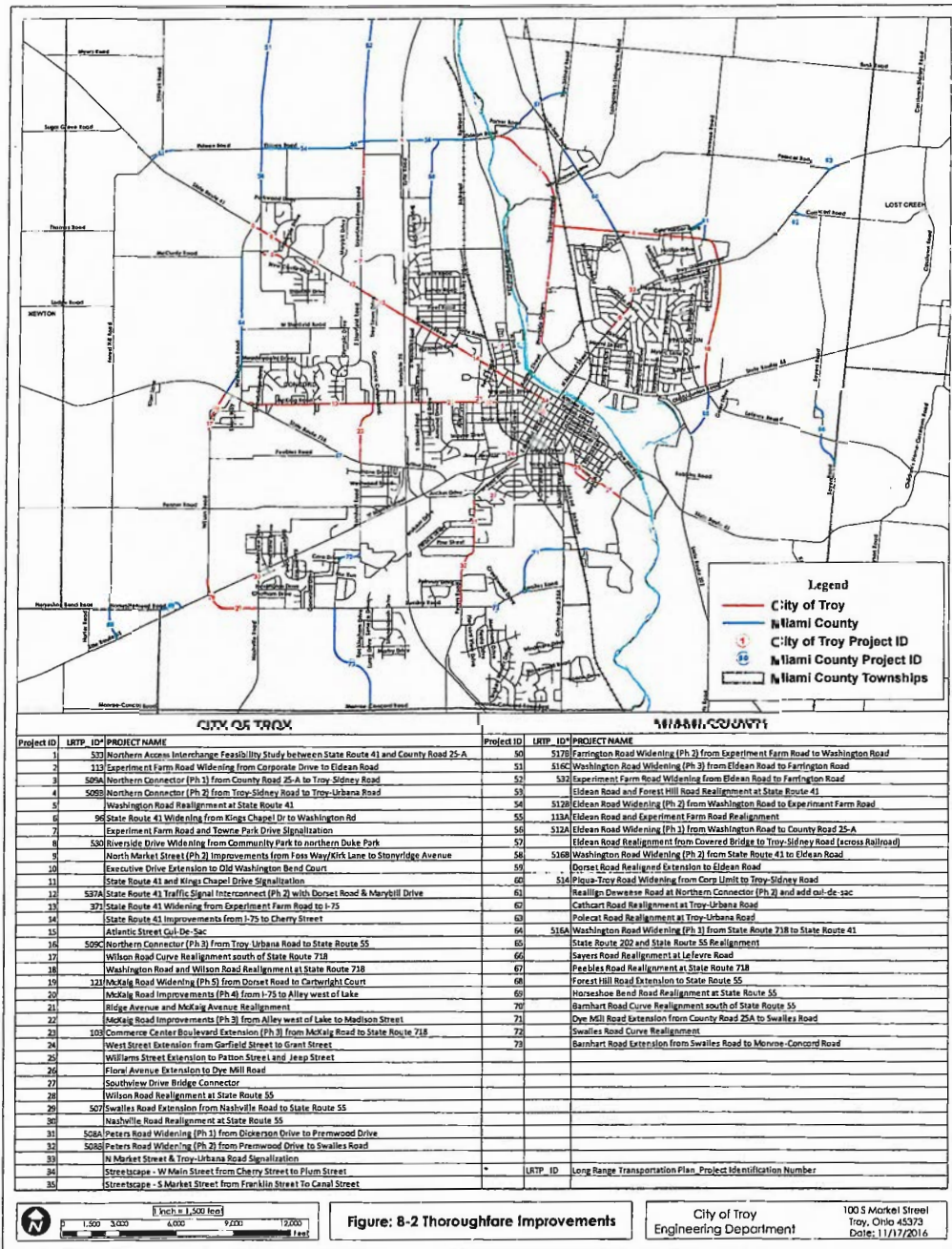


Figure: 8-2 Thoroughfare Improvements

**RESOLUTION No.** R-22-2017

Engel Legal Blue, Inc.

**RESOLUTION APPROVING APPLICATION OF NEAL FARMS, INC. (AKA NEAL BROTHERS INC., NEAL MOORE FARMS LLC, AND MARTIN NEAL) TO RETAIN LAND IN AN AGRICULTURAL DISTRICT**

**WHEREAS**, the City has received an application from Neal Farms, Inc. (aka Neal Brothers, Inc., Neal Moore Farms, LLC, and Martin Neal) to retain certain land Neal Farms, Inc. owns in the City of Troy into the agricultural district, and

**WHEREAS**, the Council has conducted a hearing on this matter.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I:** That the application of Neal Farms, Inc. (aka Neal Brothers, Inc., Neal Moore Farms, LLC, and Martin Neal) for retention of land in an agricultural district of the real estate described in Exhibit A, attached hereto and made a part hereof, and further described as Miami County Auditor Parcels D08105802 and D08-105804, is hereby approved.

**SECTION II:** That the Clerk of Council is hereby authorized and directed to notify all parties required to be notified under Section 929.02 of the Ohio Revised Code, and to take all other action necessary to make sure that the land is properly classified.

**SECTION III:** That this Resolution shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor



# Exhibit A

## RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT (O.R.C. Section 929.02)

TO CONTINUE in the Agricultural District, the owner MUST FILE a RENEWAL form PRIOR TO the FIRST MONDAY IN APRIL every fifth year with the MIAMI COUNTY Auditor

APPLICANT: NEAL MOORE FARMS LLC  
1920 ELDEAN / 2585 EXP FARM  
TROY OH 45373 USA

Application No: 358  
Original Year: 12/2007  
Renewal Year: 2017

Description of Land as shown on Property Tax Statement: As written below

Location of Property: MIAMI COUNTY - CONCORD & WASHINGTON TOWNSHIP

1. Do you want to renew the real estate list below in the AG District program? ☒ YES ☐ NO
2. Does any of the land lie within a municipal corporation limit? ☒ YES ☐ NO
3. Is the parcel(s) shown below presently being taxed at their Current Agricultural Use Valuation (CAUV) under section 5713.31, O.R.C.? ☒ YES ☐ NO (CAUV # 1694)
4. Is the parcel(s) shown below exclusively devoted to agricultural purposes? ☒ YES ☐ NO
5. If the total acreage farmed in this unit is less than 10 acres, show gross income produced from agricultural purposes for the last three years:  
1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

TAX DIST	PARCEL NUMBER	ACRES
C06	C06-031800 6-5-5-W-PT NW	84.15
C06	C06-035500 5-9-13-W-PT SE SE PT NE 1	192.66
C06	C06-057200 6-5-8-PT S PT NW 6-5-17-84-58	
C06	C06-058100 6-5-8-PT NW 1 N PT SW	30.37
C06	C06-058200 6-5-17-CEN PT NE	5.67
C06	C06-058230 6-5-8-PT S PT NW	24.61
C06	C06-059700 6-5-7-E Side SE	40.32
C06	C06-059720 6-5-7-S PT SE	21.39
C06	C06-059730 6-5-7-PT W Side SE	40.32
C06	C06-080826 6-5-16-LOT 35	1.37
D08	D08-105802 IN LOT 10158	15.00
D08	D08-105804 IN LOT 10159	90.00
M43	M43-000001 6-6-32-SW PT SW 1	62.02
TOTAL ACRES		672.36

RECEIVED

FEB 10 2017

MIAMI COUNTY AUDITOR

I declare that this report has been examined by me and to the best of my knowledge and belief is true and correct. I authorize the County Auditor to inspect the property described above to verify the accuracy of the application. Neal Moore Farms LLC, Neal Farms Inc, Martin Neal

Signature of Owner: By Martin Neal DATE: 2-9-17 PHONE NUMBER: 937-216-2268

MIAMI COUNTY Auditor Office - 201 W MAIN ST - TROY, OH 45373

**RESOLUTION No.** R-23-2017

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**RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO THE PY 2017 CHIP PROGRAM PARTNERSHIP AGREEMENT BY AND BETWEEN THE MIAMI COUNTY BOARD OF COMMISSIONERS, THE CITY OF PIQUA, OHIO, AND THE CITY OF TIPP CITY, OHIO AND THE CITY OF TROY, OHIO FOR THE OHIO DEVELOPMENT SERVICES ADMINISTRATION (ODSA) COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM**

**WHEREAS**, the Miami County Board of Commissioners (Applicant/Grantee) in conjunction with the Partnering Jurisdictions, will be applying for an \$1,120,000 CHIP Program Competitive Grant comprised of federal Community Development Block Grant (CDBG) funds, federal HOME Investment Partnership (HOME) funds, and Ohio Housing Trust Funds (OHTF); and

**WHEREAS**, the Ohio Development Services Administration (ODSA) requires the designation of an Applicant/Grantee in order for a CHIP Program Partnership to apply for CHIP Program funding; and

**WHEREAS**, the ODSA requires the execution of a Partnership Agreement between the Applicant/Grantee and other Partnering Jurisdictions that are also eligible to receive CHIP Program funds in the event the Applicant/Grantee and the other Partnering Jurisdictions are willing to mutually form a CHIP Program Partnership; and

**WHEREAS**, upon the execution of a Partnership Agreement, the Partnering Jurisdictions become a part of the Applicant/Grantee's CHIP Program for the purposes of program planning, administration, implementation, fiscal obligation, and closeout for the lifetime of the CHIP Program grant period; and

**WHEREAS**, the ODSA requires the Partnership Agreement to state that it covers all CHIP Program funds awarded from the ODSA's CDBG, HOME and OHTF allocations, and remains in effect until the CHIP Program activities are completed, all of the funds are expended and the grant is closed out; and

**WHEREAS**, the ODSA requires the Partnership Agreement to contain a statement that neither the Applicant/Grantee nor the Partnering Jurisdictions can terminate or withdraw from the Partnership Agreement while it remains in effect; and

**WHEREAS**, the ODSA requires the Partnership Agreement to outline the responsibilities of both the Applicant/Grantee and the Partnering Jurisdictions, including a description of the Applicant/Grantee's oversight process, records availability for monitoring purposes, and how Program Income will be managed; and

**WHEREAS**, the ODSA requires the governing body of the Applicant/Grantee and the governing body of each Partnering Jurisdiction to authorize the Partnership Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, Ohio as follows:

**SECTION I:** That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to enter into the PY 2017 CHIP Program Partnership Agreement by and between the Miami County Board of Commissioners, the City of Piqua, Ohio, and the City of Tipp City, Ohio, for the Ohio Development Services Administration (ODSA) Community Housing Impact and Preservation (CHIP) Program.

**SECTION II:** That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, and for the further reason that the commitment of the City of Troy, Ohio to participate in this program must be received by the Board of Miami County Commissioners as soon as possible, NOW WHEREFORE this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor



## MEMORANDUM

TO: Mrs. Baker, President of Council

FROM: Sue Knight for the Troy Planning Commission

DATE: February 8, 2017

SUBJECT: REPORT OF THE PLANNING COMMISSION - PROPOSED AMENDMENTS TO THE ZONING CODE RELATED TO MEDICAL MARIJUANA

At the February 8, 2017 meeting of the Troy Planning Commission, the Commission reviewed a recommendation from City Staff (attached hereto) that the Planning Commission now recommend that Troy City Council establish a City-wide ban on cultivating, processing, or the retail dispensing of medical marijuana.

As was reviewed by the Commission, Council has established a second 180 day moratorium related to cultivating, processing and dispensing medical marijuana so that there would be time to consider if amendments to the zoning code should be recommended to respond to the new state law permitting certain functions related to medical marijuana -- Chapter 3796 of the Ohio Revised Code, which became effective on September 8, 2016. The review at the February 8 meeting followed legislation not being adopted by Council based on the Commission's prior recommendation that there be a City-wide ban on the cultivating and processing of medical marijuana and that retail dispensaries be limited to a total of three but only within the B-4 Zoning District. The Troy Planning Commission determined not to hold a public hearing on these proposed amendments to the Zoning Code related to medical marijuana. The Commission also determined to separate a recommendation on the subject of a City-wide ban on cultivating and processing from that of retail dispensing.

**CULTIVATING AND PROCESSING OF MEDICAL MARIJUANA.**

By unanimous vote the Troy Planning Commission recommends to Troy City Council that the Zoning Code of the City of Troy, Ohio be amended to establish a City-wide ban on cultivating and processing medical marijuana within the City of Troy, as recommended by City Staff.

**DISPENSING OF MEDICAL MARIJUANA.**

The Troy Planning Commission recommends to Troy City Council that the Zoning Code of the City of Troy, Ohio be amended to establish the number of permitted retail dispensaries of medical marijuana to one in the City of Troy, provided that any such dispensary may only be located in the B-4 (Highway Service Business District) zoning district. This motion passed by a vote of five to one (one member was absent).

Council's public hearings on these Zoning Code amendments will be held at the March 20 meeting.

This matter is forwarded herewith for consideration of Troy City Council.

encl.



## **MEMORANDUM**

**TO:** Troy Planning Commission

**FROM:** Tim Davis, Assistant Development Director

**DATE:** February 8, 2016

**SUBJECT:** Recommendation Regarding Medical Marijuana

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### **RECOMMENDATION:**

In order to preserve the public peace, health, and safety of Troy, Ohio, Planning Commission considers a city-wide ban on cultivators, processors, and retail dispensaries as defined by Chapter 3796 of the Ohio Revised Code.

### **BACKGROUND AND DISCUSSION:**

In June, Ohio became the 25<sup>th</sup> state to enact legislation allowing for the medicinal use of marijuana by approving House Bill 523. This bill enacted Chapter 3796 of the Ohio Revised Code, which became effective on September 8, 2016. Chapter 3796 authorizes the use of marijuana for medical purposes and establish the Medical Marijuana Control Program, which allows people with certain medical conditions, upon the recommendation of an Ohio-licensed physician certified by the State Medical Board, to purchase and use medical marijuana.

There are many aspects to the Chapter 3796 of the O.R.C but the following are requirements of the program that impact municipalities:

#### **Zoning**

- Authorizes the legislative authority of a municipal corporation or a board of township trustees to adopt regulations to prohibit or allow retail dispensaries, cultivators, and processors.
- Prohibits a cultivator, processor, retail dispensary, or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground, or public park.

On July 18, 2016, Troy City Council approved Ordinance O-36-2016, which provided a moratorium for a period of one hundred and eighty days on the granting of any permit allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Troy.

On August 10, 2016, Planning Commission discussed placing a ban on retail dispensaries, cultivators, and processors as defined by Chapter 3796 of the Ohio Revised Code, but members questioned whether it may be in the best interest to allow a limited number of dispensaries

instead of banning them completely. It was decided to table the issue until a full representation of the Planning Commission was available.

On September 14, 2016 Planning Commission recommended to City Council the following:

- A city-wide ban on cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.
- A maximum of five marijuana retail dispensaries throughout the city, provided:
  - Location is permitted only within a B-1 (Local Retail District), B-2 (General Business District) or B-4 (Highway Service Business District) zoning district; and
  - Location is not permitted within the B-3 (Central Business District) zoning district; and
  - Location is not permitted within the Historic District as defined by the City of Troy Zoning Code, regardless of the zoning designation.

From October through November, City Council held several meetings regarding this issue and made amendments to Planning Commission's recommendations including the reduction of marijuana retail dispensaries from five to three to zero. On November 21, 2016, City Council failed to approve any legislation related to marijuana cultivators, processors and dispensaries.

On December 5, 2016, City Council approved Ordinance O-59-2016, which provided another moratorium for a period of one hundred and eighty days on the granting of any permit allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Troy.

On December 14, 2016, Planning Commission recommended to City Council the following:

- A city-wide ban on cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.
- Allow a maximum of three marijuana retail dispensaries throughout the city, provided:
  - Location is permitted only within a B-4 (Highway Service Business District) zoning district; and
  - Location is not permitted within the Historic District as defined by the City of Troy Zoning Code, regardless of the zoning designation.

On February 6, 2017, City Council failed to approve the Planning Commission's recommendation related to marijuana cultivators, processors and dispensaries. This issue comes back to the Planning Commission for a discussion and recommendation to City Council.

To recap, Planning Commission and City Council agree that a city-wide ban on cultivators and processors are needed. The issue is whether or not to allow retail dispensaries inside city limits. Planning Commission has recommended to City Council a maximum of three and a maximum of five retail dispensaries, both of which were not adopted by City Council. Members of City Council stated they voted against Planning Commission's most recent recommendation because they wish to not allow any retail dispensaries within the City of Troy. Based upon this statement and the direction of City Council's previous actions, staff is proposing a city-wide ban

on retail dispensaries, cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.

**REQUESTED ACTION:**

It is requested that Planning Commission recommend to City Council a city-wide ban on retail dispensaries, cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.



**ORDINANCE No.** O-8-2017

Dayton Legal Blank, Inc.

**AN ORDINANCE ENACTING SECTION 1149.13 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO CULTIVATORS AND PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO**

**WHEREAS**, the Planning Commission of the City of Troy, Ohio has reviewed proposed amendments to the Zoning Code related to cultivators and processors of Medical Marijuana and has recommended approval of said amendments; and

**WHEREAS**, at least thirty days' notice of the public hearing regarding said Zoning Code amendments has been provided in a newspaper of general circulation; and

**WHEREAS**, Troy City Council has reviewed the Zoning Code of the City of Troy, Ohio and determined that appropriate changes are necessary; and

**WHEREAS**, Ohio Revised Code Section 3796.29 allows municipalities to prohibit and/or limit the location of cultivators and processors of medical marijuana within the corporate limits.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I.** That Section 1149.13 of the Codified Ordinances of the City of Troy, Ohio, is hereby enacted to read as follows:

**"Section 1149.13 Prohibition of Medical Marijuana Cultivation and Processing:** No person or entity shall establish or maintain land, buildings, or premises for the use of medical marijuana's cultivation or processing. For purposes of this section, "medical marijuana cultivator," and "medical marijuana processor", shall be defined as set forth in Chapter 3796 of the Ohio Revised Code as amended from time to time".

**SECTION II.** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor

**ORDINANCE No.** O-9-2017

Dayton Legal Blank, Inc.

**AN ORDINANCE AMENDING SECTION 1143.16 OF THE ZONING CODE OF THE CITY OF TROY, OHIO AND ENACTING SECTION 1149.14 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO RETAIL DISPENSARIES OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO**

**WHEREAS**, the Planning Commission of the City of Troy, Ohio has reviewed proposed amendments to the Zoning Code related to retail dispensaries, cultivators, and processors of Medical Marijuana and has recommended approval of said amendments; and

**WHEREAS**, at least thirty days' notice of the public hearing regarding said Zoning Code amendments has been provided in a newspaper of general circulation; and

**WHEREAS**, Troy City Council has reviewed Section 1143.16 of the Zoning Code of the City of Troy, Ohio and other provisions of the Zoning Code of the City of Troy, Ohio, and determined that appropriate changes are necessary; and

**WHEREAS**, Ohio Revised Code Section 3796.29 allows municipalities to prohibit and/or limit the location of retail dispensaries of medical marijuana within the corporate limits.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I.** That Section 1149.14 of the Codified Ordinances of the City of Troy, Ohio, is hereby enacted to read as follows:

**"Section 1149.14 Medical Marijuana Dispensaries:**

- (a) That a maximum limit of one (1) Medical Marijuana dispensary as defined by Chapter 3796 of the Ohio Revised Code may be permitted within the corporate limits of the City of Troy, Ohio.
- (b) That Medical Marijuana dispensaries, as defined by Chapter 3796 of the Ohio Revised Code, may not be permitted within the Historic District of the City of Troy, Ohio, as defined by the Zoning Code of the City of Troy, Ohio, regardless of zoning classification."

**SECTION II.** That Section 1143.16(b) of the Zoning Code of the City of Troy, Ohio is amended to include a new subsection as follows:

"1143.16(b) Principal Permitted Uses.

"Medical Marijuana dispensaries".

**SECTION III.** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor



City of Troy

## ITEMS OF INTEREST

**TO:** Mayor Beamish  
Mrs. Baker, President of Council  
Council Members

**FROM:** Patrick E. J. Titterington, Director of Public Service and Safety

A handwritten signature in black ink, appearing to be "PAT", located to the right of the "FROM:" line.

**DATE:** March 17, 2017

We are providing the following for your information:

- Major Project Update:
  - Hobart Arena Renovation and Expansion – The renovation began on February 29, 2016. After being initially closed to the public on July 11, ice was put back down in September. Health Department and Building Department final inspections are occurring. Effective March 13 walking was again permitted. Substantial completion of the project is estimated to be the first quarter of 2017.
  - Extra High Service (EHS) Water Tower – The tower bowl is visible to the west of the existing Stanfield tower. Construction is beginning again, but continues to be dependent upon the weather. Substantial completion is estimated for the Fall of 2017.
- The Dye Mill Road Facility reopened on Monday March 6.
- The contract for the Waterline Replacement Program has been awarded to Finrock Construction of Covington, OH. Construction is anticipated to begin in early summer. Council authorized the project at a cost not to exceed \$500,000. The contract was awarded in the amount of \$492,173.
- Recreation Director Ken Siler reported there were over 3,000 in attendance at the OHSA Regional Wrestling Tournament on March 3 and 4.

**Upcoming Events at Hobart Arena**

March 25	Signs of Life- The American Pink Floyd Concert
April 1	World Championship Ice Racing
April 9	Best of John Williams- Dayton Philharmonic Orchestra
April 29	Dayton Feis Irish Dance Competition
May 6	Queensryche
May 25	Upper Valley Career Center Graduation
May 26	Miami East Graduation
May 27	Troy High School Graduation
May 28	Covington High School Graduation

**Calendar of Meetings**

Mar. 20	7:00 p.m.	Council	City Hall Council Chambers
Mar. 22	3:30 p.m.	Planning Commission	City Hall
Apr. 3	7:00 p.m.	Council	City Hall Council Chambers
Apr. 4	4:00 p.m.	Park Board	City Hall
Apr. 12	3:30 p.m.	Planning Commission	City Hall
Apr. 17	7:00 p.m.	Council	City Hall Council Chambers
Apr. 19	4:00 p.m.	Rec Board	Hobart Arena

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads



**Operations  
Items of Interest  
March 17, 2017**

**Street/Solid Waste – Jerry Mullins, Foreman**

- Collected and transported 230 tons of residential trash since the last report of 221 tons.
- Handled three recycling complaints and 11 trash complaints.
- Collected several compliant brush piles and T-bags.
- Made 13 pothole repairs with our infrared machine and cold mix.
- Repaired the curb in the area of Caterpillar on Brukner Drive.
- Dye Mill Road Compost Facility opened for the season with its extended hours, and it has been very busy.
- Sprayed 9000 gallons of brine for the expected snow on March 13.
- Flyers have been mailed out explaining the new automated trash program. Questions regarding the program are being responded to by Jerry Mullins so that consistent responses are provided. With the automated trash system being so similar to the automated recycling program, staff anticipates that the changeover (starting May 1) should go quite well. Special trash will continue to be collected on the same schedule as the refuse collection along with bundled brush and T bags for yard refuse. Residents wanting to dispose of old trash cans can place them with the special trash for collection. Those with questions about the new program can call Jerry Mullins at (937)335-1914 ext. 1225.

**Electrical – Brian Ferree, Foreman**

- Completed Ohio Utilities Protection Service requests as needed.
- Started installation of the control wiring for the new garage door sensors at Fire Station #2.
- Repaired the LED lights for the trees on the levee for next year.
- Made an electrical repair on compressor 2 at Hobart Arena.
- Repaired a light in the woman's second floor restroom at the Police Station.
- Repaired several lights at City Hall.

**Water Distribution/Sewer Maintenance - Tom Parsons, Foreman**

- Marked numerous Ohio Utilities Protection Service tickets.
- Worked on numerous work orders for Billing and Collection.
- Completed non-pay shut-offs and reconnected them as they were paid.
- Investigated numerous high consumption alerts.

- Upgraded water services at residences on Floral Avenue and Mayfair Road.
- Replaced a 2" meter at the Avenue location on Experiment Farm Road.
- Repaired a fire hydrant hit by truck on Barnhart Road.
- Repaired a curb stop on Chelsea Road.
- Investigated water standing on Washington Road by a water line.
- Shut water down on Delphinium Court for an irrigation install.
- Shut water off on Orchard Drive for an inside repair.
- Televised sanitary lateral in the northeast quadrant on the Public Square.
- Televised line in ally on the Public Square.
- Cleaned and televised lines on West Main Street.

#### **Water Treatment Plant – Jeff Monce**

- Removal of residuals from the east sludge lagoon has been delayed by the City of Dayton. Weather permitting, removal will begin March 20.
- Two chlorine residual analyzers are being linked to SCADA to allow for automatic computer control of chlorine feed.
- Maintenance staff is installing 4" drain tile at the north side of the clarifier basins to alleviate flooding of the receiving dock and elevator pit.
- Assistant Superintendent Ralph Walters completed a revised new-hire orientation and training program to comply with the best practices guidelines provided by the City's insurance pool.
- A defective new carbon dioxide vacuum regulator has been returned to the manufacturer and the replacement regulator has been received.
- Jeff Monce, Ralph Walters and Jason Tron attended the One Water 2017 Government Affairs and Regulatory Workshop in Columbus on March 9.
- The filter controls computer has been upgraded to double the memory capacity to assist with the expansion of the SCADA system.

#### **Wastewater Treatment Plant – Mitch Beckner**

- The Electrical Division has completed wiring for the second pump at Trader's lift station on South County Road 25-A and the pump has been installed. This provides needed redundancy to the station that will ensure uninterrupted operation. To complete the project, the Street Division created a gravel pad so that if required, maintenance vehicles can approach the station without damaging the surrounding grounds. Once the gravel settles, the pad will be asphalted. A curb approach will also be created.
- We are currently gathering data for a solids handling study. The engineering firm Hazen and Sawyer will use this data to examine potential technologies to reduce our solids processing costs. Solids handling is currently the Plant's second highest expense and we are anticipating that with some capital improvements, we may be able to cut those costs by as much as 30-40%.



- We are continuing to work with a consultant to restructure the organization of our electronic files in a manner that is consistent with what is being done city wide. This is being done as part of a larger project that includes streamlining of operational processes, transition away from paper recordkeeping, and automation of data entry procedures in order to reduce the possibility of errors.

**Items of Interest  
Engineering Department  
March 15, 2017**

**PROJ #                      PROJECT TITLE    PROJECT STATUS**

**PUBLIC WORKS AND CITY FACILITY PROJECTS**

2014-16	Hobart Arena Renovation and Expansion	MSA Architects designed this project. Monarch Construction, Inc. is the general contractor. Every week construction coordination meetings are occurring with the contractor and MSA. Construction is nearing completion as health and building department final inspections are occurring. Substantial completion of the project is nearing with the last component being completion of the west entry. Also, the contractor is working on punch list items. Walking is once again available at Hobart Arena.
2014-17	Marina & Boathouse Renovation	Final inspections were completed and approved. Final punch list and retainage release is ongoing.
2014-12	Extra High Service (EHS) Water Tower	The Water Tower project has been awarded to CB&I Constructors, Inc. The tower bowl can be seen to the west of the existing Stanfield Tower. Construction is beginning again, but heavily dependent upon weather. Completion is estimated in Fall 2017. A 2017 preconstruction meeting has been scheduled for the end of March.
2015-01	MIA - Troy East Main Street Downtown Streetscape (PID 93240)	Reimbursement is being submitted to ODOT. Final assessment ordinance has been approved by Council and bills were sent to property owners. Bills are due by the end of March. Those not paid will be assessed to the property taxes.
2015-04	Nottingham Subdivision Sewer Gravity	Access Engineering, LLC was authorized to design a gravity sewer from the Nottingham Subdivision to Piqua-Troy Road at Troy-Urbana Road. Easement requests are being coordinated with the property owners. Final design is completed and coordination with the developer is anticipated by the end of 2017.
2015-10	Troy Recreational Trail Resurfacing (PID 100778)	Council approved the ODOT LPA Agreement including accepting ODOT funding and finalizing bike path easements according to federal regulations. Resurfacing is scheduled to occur SFY 2020 (calendar year July 2019). The project will be Local-Let (i.e. implemented by City Staff) and will be funded 80/20 ODOT/Troy. A PO was issued for the engineering consulting work. Staff continues right-of-way acquisition with MCD, CSX, Troy schools, and a couple of other property owners.
2014-08	McKaig Road Improvements Phase 3	This phase included work from Madison Street (RR tracks) to the alley west of Lake Street (end of Heywood Elementary property). Finrock Construction Co. was awarded the project at a cost not to exceed \$1,170,000. Base asphalt has been placed between Ridge Avenue and Madison Street (RR tracks). Construction is completed and retainage is released. The project is closed out other than a final bill from the engineer and OPWC reimbursement.
2015-23	North Market Street Improvements Phase 2	This phase includes work from Kirk Lane/Foss Way to Stonyridge Avenue. Council authorized Choice One Engineering Corporation to design the project. Design is progressing with bidding anticipated in early 2017 and anticipated to occur during 2017. A Resolution of Necessity for sidewalk assessments will be requested for Council consideration.
2015-34	West Main Street Corridor Study from I-75 to Cherry Street	This project analyzes West Main Street between I-75 and downtown for capacity and multiple modes of transportation in order to improve safety. Council authorized an agreement with Strand Associates, Inc. Data collection phase and analysis of the street has begun. A progress meeting is scheduled in the next week.

**Items of Interest  
Engineering Department  
March 15, 2017**

PROJ #	PROJECT TITLE	PROJECT STATUS
2016-09	Miami Shores Clubhouse Renovation	Request for Proposal (RFP) are being reviewed and interviews scheduled.
2016-12	Waterline Replacement Program	Access Engineering was authorized to design waterline improvements in the following locations in the City: Franklin Street between Oak Street and East Main Street, on Ellis Street between Franklin Street and Race Drive, and on South Counts Street between Martin Street and East Main Street. Council authorized bidding the project. Finrock Construction Co. was awarded the project. Construction is estimated to begin in May/June.
2016-17	South Stanfield Stormwater Extension	Choice One Engineering Corporation designed an outlet around 701 S. Stanfield Rd. Council authorized bidding the project. Bids were received on March 16 and are being reviewed.
2016-26	West Milton Regionalization Phase 2	Council authorized the next phase of the project for additional analysis and breakdown of the City acquiring, operating and maintaining West Milton's water system. A meeting for review of existing analysis and assumptions occurred with Troy staff and West Milton. The previous water study assumptions are being reviewed.

**ANNUAL PROJECTS**

	Paving Program 2017	Staff has begun updating and reviewing streets throughout the City in need of resurfacing for 2017.
	Sidewalk Program 2016	Contract quantities were obtained/measured for the 2016 sidewalk repair program, which is located in the following location: areas along S. Plum St., S. Cherry St., S. Walnut St. and S. Mulberry St. between Main St. and Franklin St.; S. Market St., S. Walnut St. and S. Mulberry St. between E. Franklin St. and E. Canal St.; and the area encompassed by S. Market St., E. West St., S. Clay St., Ross St., and S. Mulberry St. which include the following streets Young, Enyeart and Dakota. Contract was awarded to the low bidder being LJ DeWeese Co, Inc. of Tipp City. Contractor is removing trees and preparing to begin construction.
	Sidewalk Program 2017	Phase 10 includes the areas along South Mulberry between East Ross and South Market; South Clay between East West and South Market; along South Crawford between East West and Young; East West between South Clay to CSX Railroad; and East Ross and Enyeart between South Mulberry and South Clay. Staff is requesting a resolution of necessity be passed for repair/replacement of deteriorated sidewalks.
	ADA Curb Ramps	ADA ramps will be replaced in the approximate location of the 2016 Sidewalk Program. Council authorized bidding of the ADA Curb Ramps utilizing CDBG Funds. Bid opening will be set soon.
2015-11	Updating City Construction Standards	Staff is working with Choice One Engineering Corporation (COEC) to update the standards. A review meeting occurred and updates are being completed by COEC. Staff and COEC are exchanging markups to finalize the standards.
	Sensus Analytics Controlled Launch	Pilot testing is ongoing and coordination continues with Sensus and CMI. Sensus training occurred in the last couple of weeks. Awaiting Sensus to work out final bugs before going live.
	GPS Data Collection	Collection of data continues. Staff is obtaining OUPS markings from the Vectren bare steel/cast iron gas main replacement work occurring throughout the City and other construction/maintenance activities from City staff or contractors.
	Sidewalk, Driveway, Water, Sewer, and Sump Inspections	Inspections are continuing to be completed as requested with replacements and new development.



**Items of Interest  
Engineering Department  
March 15, 2017**

PROJ #	PROJECT TITLE	PROJECT STATUS
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**SUBDIVISION PROJECTS**

2016-10	Stonebridge Meadows	Section 2 and Section 3 construction has intermediate asphalt and punch list items being completed for final asphalt. Section 4 contractor has intermediate asphalt placed and house construction is progressing. Staff has been notified that Section 5 will be proposed in the coming months.
2016-02	Legacy Grove	A developer has submitted revised final plat of land along McKaig Road east of Concord Elementary School. Staff reviewing for return to developer. Council approved dedication of Right-of-Way associated with this development.
2015-07 2016-15 2016-25	Halifax	Section 1 construction is complete. House construction is ongoing. Staff is awaiting feedback for lighting options with the developer. Section 2 and Section 3 have been approved by Council. A preconstruction meeting occurred and the escrow agreement is being worked out.
2015-06	Nottingham	Developer requested that Section 8 be closed out; contractor is completing the punch list. Section 9 has intermediate course of asphalt placed and house construction is progressing. Section 10 is beginning design and will go to Planning Commission in the next month.
2012-08	Edgewater	Section 7 has obtained final course of asphalt, and final buildout is close to completion. Section 8 has intermediate asphalt. Housing construction has begun.
2007-19	Pleasantview Estates	Section 3 is awaiting final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via a special assessment process. Punch lists have been completed and will be sent to the developer in order to attempt to complete the subdivision. Section 4 plat has been approved. Construction has not begun.
2003-35	Villages of Concord (formerly Oakmont)	Section 5 is awaiting final punch list and final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via a special assessment process. Punch list has been created and forwarded to the developer in order to attempt to complete the subdivision. Staff has reached out to the developer to encourage completion of the development without the assessment process. Staff is formulating a letter to the developer.

## High Usage Alert Records

Address	24 Hr. usage Cu Ft.	Shut Off: Yes - No	Date	Reconnect: Yes - No - Cause
Adams St.	700	No	February 16, 2017	No Janitor faucet left on
W. Water St.	300	No	February 16, 2017	No left blue card
Willow Point	500	No	February 21, 2017	No toilet running
Willow Point	600	No	February 22, 2017	Toilet Running (notified owner 2nd day in a row)
S. Dorset Rd.	500	No	February 23, 2017	No advised customer they will check
Sherwood Dr.	400	No	February 27, 2017	No Left blue card
Stanfield Rd.	600	No	February 27, 2017	No advised customer they will check
Stanfield Rd.	700	No	February 28, 2017	No advised customer they will check
Stanfield Rd.	900	No	March 1, 2017	No advised maintenance
W. Main St.	300	No	March 3, 2017	No Left blue card B & C to call
Public Sq.	400	No	March 7, 2017	No B&C to call
W. Main St.	400	No	March 7, 2017	No toilet running
Jasmine Dr.	500	No	March 14, 2017	No Left blue card B & C to call
Michigan Ave.	500	No	March 14, 2017	No Left blue card B & C to call
Westlake Dr.	400	No	March 14, 2017	No toilet running
W. Main St.	700	No	March 13, 2017	No mens toilet running
S. Dorset Rd.	500	No	March 13, 2017	Manager relayed on going problem to manager

# TROY FIRE DEPARTMENT

1528 North Market Street Troy, OH 45373

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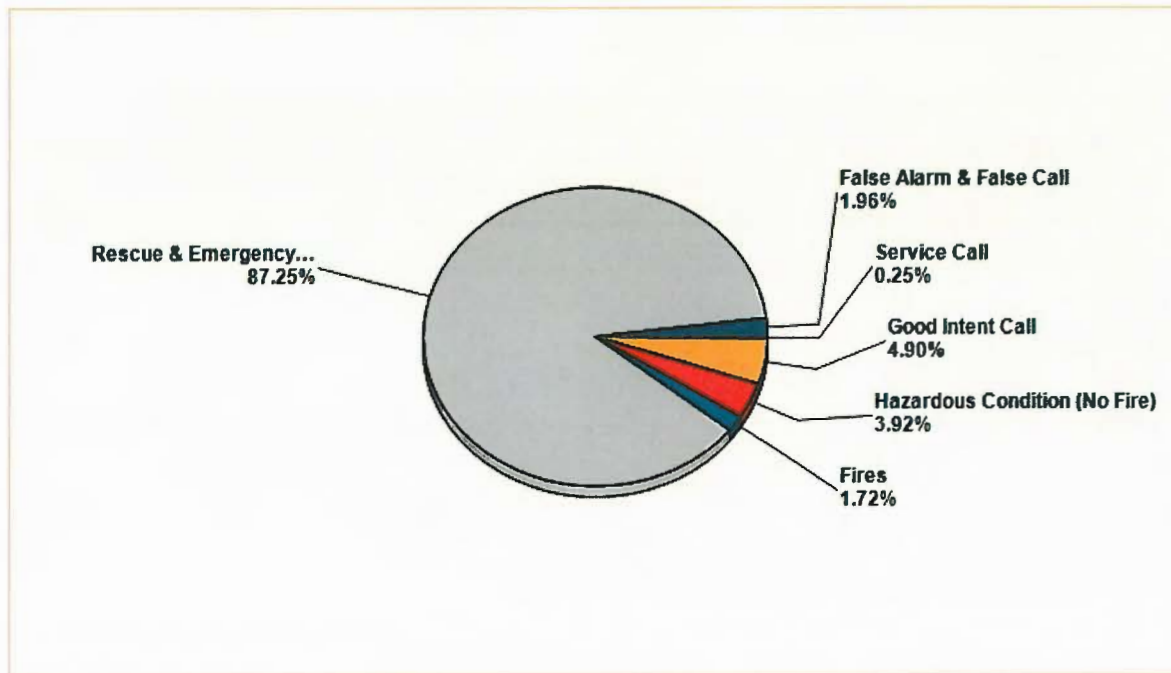
Here are the department's statistics for the month of February. The department has been very active with incidents, training, fire prevention education and inspections.

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## February Incidents

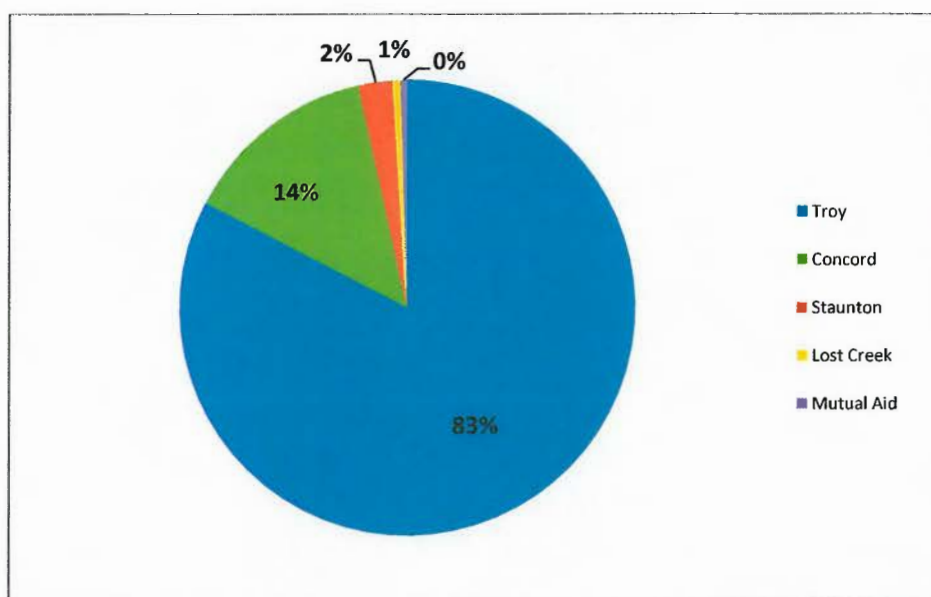
MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	7	1.72%
Rescue & Emergency Medical Service	356	87.25%
Hazardous Condition (No Fire)	16	3.92%
Service Call	1	0.25%
Good Intent Call	20	4.90%
False Alarm & False Call	8	1.96%
<b>TOTAL</b>	<b>408</b>	<b>100.00%</b>





## February Troy Fire Department Incidents

Total Incident Report		
	Total Incidents	% of Total
Troy	337	83%
Concord	57	14%
Staunton	10	2%
Lost Creek	2	1%
Mutual Aid	2	0%
<b>Total</b>	<b>408</b>	<b>100%</b>



## February Troy Fire Department Responses

Total Response Report				
	EMS Responses	Fire Responses	Total	% of Total
Troy	303	91	394	84%
Concord	49	11	60	13%
Staunton	7	2	9	2%
Lost Creek	0	0	0	1%
Mutual Aid	4	1	5	1%
<b>Total</b>	<b>363</b>	<b>105</b>	<b>468</b>	<b>100%</b>

## Fire Responses

Fire Response Report						
Unit	Troy	Concord	Staunton	Lost Creek	Mutual Aid	Total
Engine-1	64	9	1	0	1	75
Engine-2	7	0	1	0	0	8
Engine-3	15	1	0	0	0	16
Tanker-1	0	0	0	0	0	0
Tower-1	4	0	0	0	0	4
Grass-1	1	1	0	0	0	2
<b>Total</b>	<b>91</b>	<b>11</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>105</b>

## EMS Responses

EMS Response Report						
Unit	Troy	Concord	Staunton	Lost Creek	Other	Total
Medic-1	119	21	0	0	1	141
Medic-2	83	17	7	0	2	109
Medic-3	100	11	0	0	1	112
Medic-4	1	0	0	0	0	1
<b>Total</b>	<b>303</b>	<b>49</b>	<b>7</b>	<b>0</b>	<b>4</b>	<b>363</b>

## Dollar Value Saved & Loss Analysis February 2017

Dollar Value Saved & Loss Analysis February 2017				
Total Value	Total Losses	Total Saved	Percent Loss	Percent Saved
\$ 45,000	\$ 29,000	\$ 16,000	64%	36%

## Troy Fire Prevention Bureau Statistics

The following are the statistics for the Fire Prevention Bureau. We have been very busy in public education, inspections, consultations and responding to emergency incidents. We are currently fully staffed and are working diligently on multiple projects.



February Fire Prevention Stats	
General Inspections:	70
Re-Inspections:	11
Plan Reviews:	0
Fire Prevention Permits:	0
Fire Investigations:	1
Fire Responses:	3
Ambulance Responses:	3
Public Education Events:	8
Persons in Attendance at PE Events:	544
Car Seats:	0
Carbon Monoxide Detector Installations	2
Short Shift Hours:	0

**Law Enforcement Activity Report**  
1/31/2017 TO 2/28/2017

**Ordinance Cases Filed**

----- Criminal -----	
Piqua Police Department	2
Troy Police Department	7
	<u>9</u>

----- Traffic -----	
Covington Police Department	8
Piqua Police Department	33
Tipp City Police Department	27
Troy Police Department	92
West Milton Police Department	2
	<u>162</u>

**State Cases Filed**

----- Criminal -----	
Bethel/Sheriff	7
Bradford/Sheriff	5
Covington Police Department	11
Department of Taxation	4
Dog & Kennel	6
Miami County Health Board	10
Ohio State Patrol	24
Personal	2
Piqua Police Department	68
Sheriff's Department - Miami County	55
Tipp City Police Department	33
Troy Police Department	132
West Milton Police Department	19
Wildlife	4
	<u>380</u>

----- Traffic -----	
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1/6/2017  
Law Enforcement Activity Report  
1/31/2017 TO 2/28/2017

Bethel/Sheriff	14
Covington Police Department	7
Ohio State Patrol	462
Piqua Police Department	26
Pleasant Hill / Sheriff	1
Sheriff's Department - Miami County	135
Tipp City Police Department	13
Troy Police Department	69
West Milton Police Department	17
	<hr/>
	744

<b>Grand Total:</b>	<b>1,295</b>
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City of Troy

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**MEMORANDUM**

**TO:** Patrick E.J. Titterington, Director of Public Service and Safety

**FROM:** Tim Davis, Assistant Development Director

**DATE:** March 16, 2017

**SUBJECT:** *Items of Interest Report*

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I have attached two reports which summarize concerns that are being addressed by the Economic Development Department from March 1, 2017 to March 16, 2017.

The first report shows all permits that were issued. The permits have been separated by the wards of which they fall. There were 36 permits issued during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going violations. Both open and closed concerns are listed. These concerns are separated by the wards of which they fall. There were 10 violations addressed during this time period.

All costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. Should the property owner fail to pay the invoice, the cost will be assessed to the property taxes.



# Permit Activity Report

3/1/2017 - 3/16/17

Project Address	Ward	Permit Type	Description	Assigned To	Permit Date	Total Fees
1076 WINDMILL CT	1	Zoning-Accessory-Residential	POOL	Shannon Brandon	3/3/2017	\$ 25.00
1095 LINWOOD DR	1	Fence Permit	FENCE	Shannon Brandon	3/2/2017	\$ 10.00
1 E MAIN ST	2	Sign Permit-Permanent	SIGN PERMIT	Shannon Brandon	3/15/2017	\$ 37.00
954 S MARKET ST	2	Sign Permit-Permanent	SIGN PERMIT	Shannon Brandon	3/13/2017	\$ 25.00
5 E MAIN ST	2	Sign Permit-Permanent	SIGN PERMIT	Shannon Brandon	3/10/2017	\$ 32.00
1141 PARKLAWN CT	2	Zoning-Residential-New	SINGLE FAMILY RESIDENCE W/BASEMENT	Shannon Brandon	3/7/2017	\$ 78.64
166 MERRY ROBIN RD	2	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/6/2017	\$ 25.00
425 SHAFTSBURY RD	2	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/3/2017	\$ 25.00
1 E MAIN ST	2	Change of Occupancy	OCC TROY MARTIAL ARTS	Shannon Brandon	3/2/2017	\$ 50.00
275 RIVERSIDE DR	2	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/2/2017	\$ 25.00
5 E MAIN ST	2	Change of Occupancy	OCCUPANCY	Shannon Brandon	3/2/2017	\$ 50.00
735 SHERWOOD DR	2	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/2/2017	\$ 25.00
508 W MAIN ST	2	Tent Permit	TENT 3-16-17 thru 3-18-17	Shannon Brandon	3/1/2017	\$ 50.00
599 MAPLEWOOD DR	4	Zoning-Accessory-Residential	PORCH	Shannon Brandon	3/8/2017	\$ 25.00
1212 HAWKS NEST DR	4	Fence Permit	FENCE	Shannon Brandon	3/7/2017	\$ 10.00
765 WILLOW CREEK WAY	4	Fence Permit	FENCE	Shannon Brandon	3/6/2017	\$ 10.00
202 GRANT ST	4	Fence Permit	FENCE	Shannon Brandon	3/2/2017	\$ 10.00
49 S DORSET RD	5	Sign Permit-Permanent	SIGN PERMIT	Shannon Brandon	3/7/2017	\$ 34.00
2403 WATERFORD DR	5	Zoning-Residential Addition	SUN ROOM	Shannon Brandon	3/7/2017	\$ 25.00
1348 COVENT RD	5	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/7/2017	\$ 25.00
519 PENNSYLVANIA AVE	5	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/3/2017	\$ 25.00
1630 BANBURY RD	5	Zoning-Accessory-Residential	SUN ROOM	Shannon Brandon	3/3/2017	\$ 25.00
1005 PEMBURY PL	5	Zoning-Accessory-Residential	DECK & PATIO COVER	Shannon Brandon	3/2/2017	\$ 25.00
637 CLARENDON RD	5	Zoning-Accessory-Residential	SHED	Shannon Brandon	3/2/2017	\$ 25.00
1518 W MAIN ST	5	Sign Permit-Permanent	WALL SIGN	Shannon Brandon	3/2/2017	\$ 25.00
1450 EXPERIMENT FARM RD	6	Sign Permit-Permanent	SIGN PERMIT	Shannon Brandon	3/15/2017	\$ 25.00
1141 EXPERIMENT FARM RD	6	Zoning-Commercial-New	NEW COMMERCIAL BUILDING	Shannon Brandon	3/8/2017	\$ 180.00
1141 EXPERIMENT FARM RD	6	Sign Permit-Temporary	CONSTRUCTION SIGN PERMIT	Shannon Brandon	3/10/2017	\$ 25.00
215 CARRIAGE CROSSING WAY	6	Zoning-Accessory-Residential	PERGOLA	Shannon Brandon	3/7/2017	\$ 25.00
1743 W MAIN ST	6	Sign Permit-Permanent	SIGN PERMIT	Shannon Brandon	3/7/2017	\$ 39.12
1743 W MAIN ST	6	Zoning-Accessory-Commercial	SHED	Shannon Brandon	3/7/2017	\$ 25.00
2311 W MAIN ST	6	Sign Permit-Permanent	WALL SIGN	Shannon Brandon	3/3/2017	\$ 39.05
2311 W MAIN ST	6	Zoning-Commercial Addition	AWNING	Shannon Brandon	3/3/2017	\$ 25.00
2311 W MAIN ST	6	Change of Occupancy	OCC RAPID FIRE PIZZA	Shannon Brandon	3/2/2017	\$ 50.00
2730 STONEBRIDGE DR	6	Fence Permit	FENCE	Shannon Brandon	3/2/2017	\$ 10.00
2730 STONEBRIDGE DR	6	Zoning-Accessory-Residential	POOL & PATIO	Shannon Brandon	3/2/2017	\$ 25.00
1155 RED MAPLE DR	6	Zoning-Residential-New	SINGLE FAMILY RESIDENCE W/BASEMENT	Shannon Brandon	3/1/2017	\$ 91.65
<b>TOTALS</b>						<b>\$1,281.46</b>

Total Records: 36



## Violation Activity Summary

3/1/2017 - 3/16/2017

Case #	Case Date	Assigned To	Site Address	Ward	Type of Violation	Status	Description
20170117	3/2/2017	Shannon Brandon	688 SKYLARK DR	1	TRASH & DEBRIS	Closed	3-1-17 sb Complaint of trash, refrigerator in back yard. 3-1-7 sb Refrigerator on back patio. Did see lots of kids toys but didn't see other trash. Certificate, follow up 3-9-17 3-7-17 sb Letter got sent to 688 Stonyridge. Re-sent to 688 Skylark, certificate, follow up. 3-14-17 Refrigerator has been removed.
20170125	3/8/2017	Shannon Brandon	1127 PATTON ST	3	TRASH & DEBRIS	Open	3-6-17 sb Outdoor storage items all over, mowers, just a bunch of junk that needs moved in the shed or garage. Certificate, follow up 4-11-17
20170125	3/8/2017	Shannon Brandon	1127 PATTON ST	3	TRASH & DEBRIS	Open	3-6-17 sb Trash all over the place. Certificate, follow up 3-14-17
20170118	3/2/2017	Shannon Brandon	351 VINCENT AVE	4	TRASH & DEBRIS	Closed	3-1-17 sb Fire damaged home. Checked with fire department, they are done with their investigation. Writing this up for trash still laying all over the yard. Certified, follow up 3-6-17 sb Pam Cain tel. wanting the name of Mike Bolner (she called Duane first and he told her to call me). I told her that after she calls Mike she needs to let me know what the time frame is on this project. I also told her that in the mean time, she needs to clean up the loose trash in the yard because it's blowing all over the neighborhood. I get the feeling she basically ignored what I told her. She did tell me that the insurance had released it from their investigation that morning. Follow up 3-9-17. 3-9-17 sb Trash still there, send to OZ. Close.
20170122	3/8/2017	Shannon Brandon	1474 CHELSEA RD	5	TRASH & DEBRIS	Open	3-6-17 sb Complaint of a bunch of trash at thi house. Certified, follow up 3-15-17 3-14-17 sb Steven Scagnoli, Owner, tel. He said the tenants will have everything cleaned up by 3-20-17
20170123	3/8/2017	Shannon Brandon	1801 W MAIN ST	6	SIGN VIOLATION	Open	3-6-17 There is a bulldoze parked in the Wal-mart parking lot. It says snowcellence" on the blade so this is considered a vehicle sign which is prohibited. Sending a letter to Andrew Pratt agent for this company to remove by 3-17-17. Certificate"
20170124	3/8/2017	Shannon Brandon	2517 ST ANDREWS DR	6	TRASH & DEBRIS	Open	3-6-17 sb Trash and debris behind the fence that abuts W. Main St. Certificate. Follow up 3-14-17. 3-13-17 sb Greg Sanders tel. He asked for more time. I gave him until 3-20-17.
20170119	3/2/2017	Shannon Brandon	1726 W MAIN ST	6	SIGN VIOLATION	Closed	3-2-17 sb Notified Cody at Grismer Tire that their electronic sign can have no illusion of movement. They had some text scrolling in. He said he would change to static. Follow up 3-3-17. 3-6-17 sb Turned to static. Close.
20170120	3/2/2017	Shannon Brandon	1743 W MAIN ST	6	SIGN VIOLATION	Closed	3-2-17 sb They have installed a sign without a permit. Sending violation letter to get permit by 3-10-17. Sending to property owner and tenant 3-7-17 sb Tenant in and applied for sign permit. I haven't calculated it, but I think it is too big. 3-14-17 sb Applied for and received permit. Square footage was ok. Close.
20170121	3/2/2017	Shannon Brandon	1733 W MAIN ST	6	SIGN VIOLATION	Closed	3-2-17 sb Kim's Spa. The OPEN" sign (blue lights around it) is blinking. Spoke with David Champion-sort of the interpreter guy. He will turn to static. Follow up 3-6-17 3-6-17 sb Sign now static. Close."

10 Items